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NASA Procedural Requirements

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 (NASA Only)**Subject: Requirements for the Conduct of NASA Research and Technology (R&T)****Responsible Office: Science Mission Directorate**[| TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [Chapter4](#) | [Chapter5](#) | [Chapter6](#) | [AppendixA](#)
| [AppendixB](#) | [AppendixC](#) | [ALL](#) |

Chapter 3. R&T Solicitation and Selection

3.1 R&T Solicitation Process

3.1.1 Open competition and peer review (the technical review of proposals by qualified unbiased personnel) shall be the standard method of ensuring that the most qualified R&T proposals are selected.

3.1.2 Solicitation Mechanisms

3.1.2.1 NASA solicits proposals for R&T investigations using Broad Agency Announcements (BAAs) such as an Announcement of Opportunity (AO) or NASA Research Announcement (NRA). A NASA Cooperative Agreement Notice (CAN) is also used for activities in which a substantial involvement is expected between NASA and the recipient during the performance of the proposed activity. BAAs, NRAs, AOs, and CANs are also referred to as "research solicitations".

3.1.2.2 Specific guidance on the use of these solicitation mechanisms is found in:

- a. AOs are described in NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899] Part 1872, Acquisition of Investigations.
- b. NRAs are described in NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899] Part 1835, Research and Development Contracting.
- c. CANs are described in NPR 5800.1, Grant and Cooperative Agreement Handbook (14 CFR 1260).

3.1.3 Proposal Evaluation

3.1.3.1 As a general rule, the principal elements considered in evaluating a proposal are relevance to NASA's objectives, intrinsic merit, and cost.

3.1.3.2 Evaluation of a proposal's relevance to NASA's objectives shall include the consideration of the potential contribution of the effort to NASA's vision and mission, as defined by NPD 1001.0, NASA Strategic Plan.

3.1.3.3 Evaluation of intrinsic merit of proposals shall include consideration of the following factors:

- a. Overall scientific or technical merit of the proposal and/or unique and innovative methods, approaches, concepts, or advanced technologies demonstrated by the proposal;
- b. Offeror's capabilities, related experience, facilities, techniques, or unique combination of these which are integral factors for achieving the proposal's objectives;
- c. The qualifications, capabilities, and experience of the proposed principal investigator, team leader, or key personnel critical in achieving the proposal objectives;
- d. Evaluation against the state-of-the-art.

3.1.3.4 Evaluation of the cost of a proposed effort shall include the realism and reasonableness of the proposed cost and availability of funds.

3.1.3.5 Proposals submitted to NASA shall be reviewed by panel reviewers, individual reviewers, or a combination of both as described below:

a. The responsible R&T Program Lead (or Program Scientist or other designee, if assigned) selects the panel and, if used, individual reviewers based on their known expertise relevant to the content of each proposal. These panel reviewers or individual reviewers shall be the proposer's professional peers who do not have a conflict of interest or potential bias (See Section 4.3).

b. There shall be at least two readers of each proposal.

c. In all cases copies of every proposal shall be available for inspection by the non-conflicted members of the panel while it is in session.

d. The final consensus evaluation determined by the panel shall be reviewed and approved for completeness and clarity by the chairperson of the panel and the cognizant NASA Program Officer.

3.2 Proposals Received Other than Through a Solicitation

3.2.1 Unsolicited Proposals

3.2.1.1 Unsolicited proposals are those submitted to NASA on the initiative of the applicant rather than in response to a BAA or CAN. NASA Guidance for the Preparation and Submission of Unsolicited Proposals shall be used by the proposer to develop and submit an unsolicited proposal. The information NASA personnel may provide in discussing the development of an unsolicited proposal is described in 48 CFR, Federal Acquisition Regulation, Subpart 15.6, Unsolicited Proposals. However, the decision to submit an unsolicited proposal rests solely with the proposer.

3.2.1.2 The procedures for receiving and reviewing unsolicited proposals are contained in 48 CFR, Federal Acquisition Regulation, Subpart 15.6, Unsolicited Proposals, NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899], Subpart 1815.6, Unsolicited Proposals, NPR 5800.1, Grant and Cooperative Agreement Handbook (14 CFR 1260), and the NASA Guidance for the Preparation and Submission of Unsolicited Proposals.

3.2.1.3 If an unsolicited proposal is determined to be compliant with FAR, NASA shall conduct an appropriate peer review after which the proposal is submitted to an appropriate NASA Selection Official for selection or rejection. Waivers from the peer review process may be granted for proposals that meet the criteria stated in Section 3.3.4.

3.2.1.4 Unsolicited proposals from foreign sources are subject to policy established in NPD 1360.2, Initiation and Development of International Cooperation in Space and Aeronautics Programs.

3.2.2 Solicited Noncompetitive Proposals

3.2.2.1 There are circumstances under which NASA may solicit a sole source R&T proposal. A proposal of this type is a solicited noncompetitive proposal. Examples include:

a. When a NASA Principal Investigator successfully competes for research funding but has not identified all or part of his or her research group, the award creates a program or project requirement to solicit proposals for prospective participants.

b. When no proposals for a required activity are received by NASA in response to a solicitation, the program or project may solicit a proposal from a known source to meet the program or project requirement.

c. When the MDAA determines that one or more activities can best be performed by a known, existing capability.

3.2.2.2 Solicited noncompetitive proposals should be subjected to appropriate peer review after which the proposal is submitted to an appropriate NASA Selection Official for selection or rejection. Waivers from the peer review process may be granted for proposals that meet the criteria stated in Section 3.3.4.

3.2.2.3 A written justification for award of a noncompetitive proposal shall be included in the proposal's award file.

3.2.3 Congressionally Directed Funding

3.2.3.1 Congressionally directed funding for R&T programs and policies is often divided between assistance to non-Federal entities (site-specific) and increases to specific NASA programs (programmatic). Proposals submitted in response to Congressionally directed site-specific funding are normally evaluated using criteria based upon those included in the NASA Guidance for Preparation and Submission of Unsolicited Proposals but are not necessarily peer reviewed. Technical evaluations to assure the validity of the evaluation and the independent quality inherent in merit review may be carried out by a qualified person who is not serving as the cognizant NASA Program Officer.

The independent technical evaluation, if done in this manner, should not require the independent technical evaluator to make a recommendation for funding. If an impasse occurs after a good faith effort to resolve outstanding issues has been made, the cognizant MDAA shall inform the Associate Administrator (AA) and Office of Legislative and Intergovernmental Affairs.

3.3 Peer Review

3.3.1 Peer review is a process in which a group of technically knowledgeable people with reputations for integrity and relevant expertise is convened to provide, to the maximum extent possible, unbiased evaluations of the merit and technical validity of proposed work. Specific goals of peer review are to:

- a. Determine the quality, relevance, and value of the work being proposed.
- b. Identify the work most likely to succeed, or work that might be high risk but would result in high reward.
- c. Assess the relative merits of the proposed work to the state-of-the-art in both current knowledge and similar work being conducted by other groups.
- d. Determine the scientific and technical merits of each proposal, consistent with the evaluation factors stated in the solicitation.
- e. Demonstrate to internal and external communities that excellence and fairness are achieved in arriving at scientific and technical decisions by making the R&T communities themselves participants in the selection process.

3.3.2 To accomplish the goals of peer review, NASA shall ensure that:

- a. Reviewers are knowledgeable and collectively cover the full range of scientific and technical expertise required for thorough proposal evaluation.
- b. Conflicts of interest are scrupulously avoided. Screening for conflicts of interest shall be a mandatory precondition for participation in NASA peer review activities.
- c. NASA programmatic and technical needs and requirements are understood, as described in the R&T solicitation.
- d. The criteria for evaluation are well defined and understood and are accepted by the reviewers, traceable to the needs and requirements outlined in the R&T solicitation, and objectively stated in that solicitation.
- e. The responsible R&T Program Officer or another NASA civil servant monitors the peer reviewers.

3.3.3 To maintain equity in competitions in which personnel of a Center or JPL may be participants, selection of investigations and investigator teams is always a function of the MD or MSO when a competition is open to both internal and external proposals.

3.3.4 A waiver may be granted by the responsible MDAA or MSOD from the peer review process, but not merit review, if the waiver request meets any of the following criteria:

- a. Proposals to provide unique infrastructure facilities or capabilities necessary for the conduct of R&T programs and for which the requisite experience and technical background to provide competent peer review are not available.
- b. Small grants of less than \$40,000 for activities such as scientific meetings and publications by recognized scientific organizations.
- c. Congressionally directed funding (see section 3.2.3).

3.3.5 Waivers of peer review as described in section 3.3.4 for proposals costing \$100,000 or more shall be reported to the SMD Chief Scientist for transparency.

3.4 R&T Selection Process

3.4.1 After solicitation and peer review of proposals, the NASA Program Officer recommends to the Selection Official identified in the solicitation the suite of proposals that should be selected for funding. These recommendations are based on the results of science or technical peer review, any program-unique criteria (such as program balance) stated in the solicitation, its relevance to the R&T objectives stated in the solicitation and to NASA's strategic goals in general, its comparison to competing proposals of equal merits and objectives, and the available budget resources. The Selection Official makes the selection. In some cases NASA may elect to offer selection of only a portion of a proposed investigation. Partial selection is discussed in more detail in Section 3.4.4.

3.4.2 Selection Pre-requisites

3.4.2.1 Care and Use of Animals. R&T involving the use of animals shall comply with the policy established in NPD

8910.1, Care and Use of Animals and NPR 8910.1, Care and Use of Animals..

3.4.2.2 Use of Human Research Subjects. R&T involving human subjects shall comply with the policy established in NPD 7100.8, Protection of Human Research Subjects and NPR 7100.1, Protection of Human Research Subjects.

3.4.2.3 For AOs, the proposals are categorized. As required by NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899], Part 1872, Acquisitions of Investigations, the proposals are also reviewed by an AO Steering Committee prior to submission of the recommendation for selection.

3.4.3 Selection Activities

- a. The NASA Selection Official shall prepare Selection Statements as required by NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899].
- b. After selection, each proposer is notified by letter or electronic mail of the disposition of the proposal. Unless otherwise specified in the solicitation, each proposer should be offered a debriefing based on identified strengths and weaknesses.
- c. The responsible R&T Program Officer forwards official notification of selection and required documentation to the appropriate NASA Procurement Office, which contacts the proposing institution to negotiate funding and all required terms and conditions through an appropriate award instrument. For awards resulting in grants, the Technical Officer (often the Program Lead or Program Scientist) will negotiate funding levels and revised statement of work for partial selections.

d. Participation of foreign investigators shall be in accordance with NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899], Part 1835, Research and Development Contracting.

3.4.4 NASA may elect to select only a portion of a proposed investigation, usually at a level of support reduced from that requested in the original proposal. In such a case, the proposer shall be given the opportunity to accept or decline selection based on the reduced effort and/or budget. If the proposer accepts such an offer, a revised budget and statement of work may be required before funding action on the proposal is initiated. If the proposer declines the offer of a partial selection, NASA may withdraw the offer of selection in its entirety.

3.4.5 Disclosure of Selections and Non-Selections

3.4.5.1 For selected proposals, NASA will require the Principal Investigator to agree to the publication of the Proposal Title, the Principal Investigator's name and institution, co-investigators' names and institutions (if applicable), and the Proposal Summary. NASA shall include this condition in the solicitation and in the award instrument. After the instrument is executed, NASA shall post that information on an appropriate publicly accessible location. Selected proposers may release additional information about their proposals, subject to the requirements of NPD 2200.1, Management of NASA Scientific and Technical Information, and NPR 2200.2, Requirements for Documentation, Approval, and Dissemination of NASA Scientific and Technical Information, if the proposer is from NASA, the STI is produced by NASA, or a NASA channel will be used for information release.

3.4.5.2 However, NASA considers other portions of proposals to be proprietary and will treat this information as confidential to the extent permitted by law. NASA shall not release these sections of successful proposals to the public without consultation with the proposer.

3.4.6 Debriefing of Proposers

3.4.6.1 A proposer should be informed of the major factor(s) that led to the acceptance or rejection of the proposal unless the competitive solicitation explicitly states otherwise. At the discretion of the NASA Program Officer, such debriefings may be oral, written, or both. A proposer may request a face-to-face debriefing at NASA Headquarters or at an appropriate NASA Center. Debriefing of proposers shall be in accordance with NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899].

3.4.6.2 NASA funds shall not be used to defray debriefing travel costs except for NASA civil servants in the performance of their official duties.

3.4.6.3 NASA shall make non-selected proposers aware that proposals of nominally high intrinsic and programmatic merits may be declined for programmatic reasons that may be unrelated to any scientific or technical qualities of the proposal.

3.4.7. The non-selection of a proposal does not restrict the submission of a similar or even the same effort by the proposer(s) in response to appropriate future NASA solicitations or to other appropriate funding agencies or organizations. However, if submission of the same or nearly the same proposal to NASA in the future is contemplated, proposers should be strongly urged to carefully consider the totality of the comments offered during their debriefing, as well as the proposal guidelines, before making their decision. Merely correcting any perceived deficiencies in a proposal as noted by a review process for one BAA in no way guarantees a higher rating in another solicitation.

3.4.8 Proposers may use the NASA Ombudsman process, file protests and process contract disputes and appeals in accordance with the policy and procedures established in NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899], Part 1833, Protests, Disputes, and Appeals and NPR 5101.33, Procurement Advocacy Programs.

3.5 Partnerships and International Collaboration

3.5.1 In accordance with NPD 1080.1, Policy for the Conduct of NASA Research and Technology (R&T), NASA's policy is to encourage the participation of industry, academia, other non-profit organizations, and other Government agencies in NASA R&T.

3.5.2 The Office of External Relations in conjunction with the relevant MD or MSO shall negotiate all international collaborations. All international negotiations follow NPD 1360.2, Initiation and Development of International Cooperation in Space and Aeronautics Programs.

3.5.2.1 For international collaborations involving NASA, each partner shall assume full financial responsibility for its own commitments, pursuant to NPD 1360.2, Initiation and Development of International Cooperation in Space and Aeronautics Programs.

3.5.2.2 Any foreign contract acquisition valued above \$100,000 or involving export control issues shall be coordinated with the Office of External Relations, in accordance with NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899], SubPart 1825.7002, Foreign Contracts.

3.5.2.3 International agreements that contemplate the procurement of goods or services using U.S. appropriated funds, unless done solely on a cooperative basis, shall require Office of Procurement concurrence, in accordance with NPR 5100.4, Federal Acquisition Regulation Supplement (NASA/FAR Supplement) [48 CFR 1800-1899], SubPart 1825.7003, International Agreements.

3.6 Conflicts of Interest and Confidentiality

3.6.1 The issues of conflict of interest and confidentiality are of critical importance to the peer review process. Regardless of whether the review process is conducted by individual reviewers or by a convened panel, the presiding NASA Program Officer shall address and resolve conflicts of interest based on the following requirements:

- a. Every reviewer shall agree to avoid conflicts of interest and to maintain the confidentiality of his/her participation in and the results of the review process.
- b. U.S. Government employees who serve as reviewers are governed by Title 41 USC 423, Procurement Integrity. Non-federal reviewers shall sign a Nondisclosure Agreement in advance of being sent any proposals. By accepting a Nondisclosure Agreement, a non-Federal reviewer agrees to abide by its requirements for conflicts of interest and confidentiality.
- c. Should an unanticipated conflict arise or otherwise become known during the course of examining the proposal under review, the reviewer shall inform the cognizant NASA Program Officer and cease participation pending a NASA decision on the issue.
- d. NASA shall not condone disclosure by a reviewer of either the proposals themselves or their evaluation materials and discussions under any circumstances at any time even after the selections are announced. Since the review process is not complete until the selections are announced, a breach of confidentiality of the review process could result in the entire selection process for an NRA being declared invalid. Just as serious, unauthorized disclosure of privileged review information may lead to the proposer and/or his/her proposing colleagues to make critical career decisions based on erroneous, preselection hearsay information.
- e. In certain situations, the individuals selected to participate as reviewers may have been identified in a competing proposal or have otherwise been identified as having a conflict of interest. In such situations, NASA shall take appropriate measures to assure the objectivity and integrity of the evaluation process, including, for example, excusing the individual from panel discussions of proposals for which a conflict exists. In some cases, the individual may also be excused from the discussion of proposals other than those giving rise to the conflict of interest if these proposals are in direct programmatic competition with those proposals giving rise to the conflict. f. The Office of General Counsel is responsible for assisting with the resolution of conflicts of interest.

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